

never asked for an earmark that I wouldn't defend publicly in any setting. I am proud today to ask this Congress to give \$100,000 to the Hunting and Fishing Museum in little Forest County, that is trying to rebuild their economic base, enhance their tourism and teach our young people the value of wildlife and fishing and hunting and the beauty of the area. That's a noble issue.

I will gladly support the ability to help that rural county. I ask support of this Congress for this earmark.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. _____. (a) LIMITATION ON USE OF FUNDS.—None of the funds in this Act shall be available for the Friends of the Cheat Rails to Trails Program.

(b) CORRESPONDING REDUCTION OF FUNDS.—The amount otherwise provided by this Act for "Department of Transportation—Administrative Provisions—Federal Highway Administration" (and specified for the Transportation, Community, and System Preservation Program) is hereby reduced by \$300,000.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would take \$300,000 from the Friends of the Cheat Rails-to-Trails program. The Cheat Trail is one small part of the 13,600 miles of trails built by the Rails-to-Trails Conservancy. The program's mission is to create a nationwide network of trails for former rail lines.

The program is a nationwide effort, yet this earmark is aimed directly at one trail in West Virginia. This is not the first time Friends of Cheat have bypassed the Rails-to-Trails program for funding. The House approved a \$300,000 earmark for the Cheat trail just last year. If the trail is in such need of funding, isn't it coming from the funding and the many grants allocated in the Rails-to-Trails program?

This is another problem I have with the contemporary practice of earmarking. If we set up processes at the Federal agency level, and we set up accounts, often when people apply to that account, and apply for a grant and don't get it, then we in Congress will go and give them that project anyway through an earmark.

So if we are telling the Federal agencies, here is a process that you should

go through that is merit based, that is competition based, and then fund those who don't get a contract, what are we saying? If we have a problem with a Federal agency's process or program, then we should amend them.

We should change them. We should call the agency heads before us and say explain why are you doing this, why are you giving money to this organization and not that one, but not to circumvent the process and basically add to it.

The Rails-to-Trails program has over 100,000 members, receives Federal, State and private funding. It was created over 20 years ago. I think that if this organization was to apply to the program, they are quite capable of finding funding. There is funding there.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes.

Mr. MOLLOHAN. Mr. Chairman, in a way, I hardly know where to start here, but I might start with the gentleman's question that he poses time and time again, not only today but in previous days: Is it the Federal Government's role to fund these projects?

He has several different arguments against projects. When projects of a very significant nature are pointed out that are going on in his district, he says, oh, well, in the past they were authorized, appropriated, and he says they have oversight. To what extent, we don't know.

But the point is, they went through a process here in Congress. Article I, section 7 doesn't say what process it should go through. It says that it's the Congress' job to do that. Every Member of this body is looking at their congressional district and thinking about economic developments and what are the needs.

If you are in a transition economy, transitioning from a basic industry, manufacturing economy to a new economy, tourism is a very important part of that new economy, of that vision into the future.

We have seen a lot of projects from industrial areas that fall into that category, whether they are museums, whether they are trails, whether they are any of those kinds of appurtenances, if you will, that contribute to the economic development in the tourism realm.

Well, if the gentleman's question is, is it the government's role, the Federal Government's role, to fund these projects, which he asks over and over again, as the alternative argument against these projects, then it has been answered over and over and over again. It is the Federal Government's role to do it through this body. Constitutionally, it is our responsibility. Article I makes that very clear.

So I just want to point that out and then speak and thank the gentleman

for the opportunity to stand up to speak for Friends of Cheat, because they are doing just that. They are laying the kind of infrastructure that is necessary and crucial to that new economy, and that aspect of our economy in the future of West Virginia is going to be tourism. He has allowed me to speak to that.

Before I speak to it, I would like to thank the gentleman from Massachusetts for his leadership and review of this project. I know his staff has spent hours on it, because my staff has spent hours on the projects that we have approved. But this funding will be used, as the gentleman said, to acquire land and develop a trail in order to create those kinds of infrastructure that are attractive and make usable the bounty that is West Virginia.

I thank the gentleman for allowing me the opportunity to speak in favor of this project. I want to compliment him for the tremendous assets that are going into Arizona. I am extremely impressed; it's an affluent area. His predecessors have worked very hard, as has been pointed out here today.

There is nothing the matter with that, and there is nothing the matter with the process that those projects went through. Nor is there anything the matter with the projects that we are talking about here today have gone through.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Might I inquire as to the time remaining?

The Acting CHAIRMAN. The gentleman has 3 minutes remaining.

Mr. FLAKE. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the gentleman from Arizona for bringing this amendment, and I appreciate the gentleman from West Virginia coming down to defend this particular language that's here.

I think we need to take a look at this thing from a perspective that's perhaps broader than this particular project, that being that the issues that have been raised here in this Congress will be discussed again and again throughout this appropriations process.

But if the project has merit, it should have merit. It should be able to succeed in its efforts without being specifically identified.

But I think it has a fair amount of weight to drag with it, in that that trail has been there a long time. It could wait awhile longer.

I would submit that the issues that surround the particular district that the gentleman represents should be considered in light of this particular appropriation. The report that came out in the Wall Street Journal that's a little more than a year old, about land that has been purchased along the river that happens to be the same river that this trail runs along, I don't know that it's adjacent, brings a question to mind as to whether or not the gentleman